



**PENNSYLVANIA STATE POLICE
DEPARTMENT HEADQUARTERS
1800 ELMERTON AVENUE
HARRISBURG, PENNSYLVANIA 17110**

Mailing Date: May 22, 2019

Annita Sophia Lucchesi
MuckRock News
DEPT MR 71753
411A Highland Ave
Somerville, Massachusetts 02144-2516

PSP/RTKL Request № 2019-0404

Dear Ms. Lucchesi:

On April 15, 2019, the Pennsylvania State Police (PSP) received your request for information pursuant to Pennsylvania's Right-to-Know Law (RTKL), 65 P.S. §§ 67.101 – 67.3104, wherein you requested:

Basic information on all cases (open and closed) of missing American Indian/Alaska Native persons (including juveniles) within the state, from 2000 through 2019; this basic information can include but is not limited to: person name, age, DOB, incident date, case closure date, county/jurisdiction in which person was reported missing.

A copy of your request is enclosed. By letter dated April 22, 2019, you were notified in accordance with RTKL section 67.902(b) that PSP required an additional thirty days to prepare this final response to your request.

Your request is denied as insufficiently specific. Please be advised, the request lacks specific information necessary for PSP to ascertain and retrieve the requested records you seek such as a specific incident, date, location and names of individuals involved. The RTKL requires that a request for records be made with "sufficient specificity to enable the agency to ascertain which records" are being requested. 65 P.S. § 67.703; *Kantrowitz v. Great Valley School District*, OOR Dkt № AP 2009-0646; and *Mollick v. Methacton School District*, OOR Dkt № AP 2009-0180.

However, outside of the RTKL and without waiving any exemptions, in the event you are able to provide additional information, please do not hesitate to submit another RTKL request.

To the extent that your request seeks or may be construed to seek records involving covert law enforcement investigations, including intelligence gathering and analysis, PSP can neither confirm, nor deny the existence of such records without risk of compromising investigations and imperiling individuals. UNDER NO CIRCUMSTANCES, therefore, should this response to your request be interpreted as indicating otherwise.

In closing, you have a right to appeal this response by submitting an appeal form in writing to the Office of Open Records (OOR), Commonwealth Keystone Building, 333 Market Street, 16th Floor, Harrisburg, PA 17126-0333. The appeal form may be obtained in the forms section on the OOR website, <http://openrecords.state.pa.us>. Should you choose to file an appeal, you must do so within 15 business days of the mailing date of this response and send to the OOR:

- 1) this response;
- 2) your request; and
- 3) the reason why you think the agency is wrong in its reasons for withholding information (a statement that addresses any ground stated by the agency for the denial). If the agency gave several reasons why the record is not public, state which ones you think were wrong.

Respectfully,



Rachel Zeltmann
Deputy Agency Open Records Officer
Pennsylvania State Police
Bureau of Records & Identification
Right-to-Know Law/Subpoena Section
1800 Elmerton Avenue
Harrisburg, Pennsylvania 17110
RA-psprighttoknow@pa.gov
1.877.785.7771 (Main); 717.525.5795 (Fax)

Enclosures: PSP/RTKL Request № 2019-0404
Zeltmann Verification

PENNSYLVANIA STATE POLICE
DEPARTMENT HEADQUARTERS

VERIFICATION OF
RACHEL ZELTMANN
DEPUTY AGENCY OPEN RECORDS OFFICER

I, Rachel Zeltmann, Deputy Agency Open Records Officer of the Pennsylvania State Police (PSP or Department), am authorized to prepare this verification on the Department's behalf in response to PSP/RTKL Request N° 2019-0404. Accordingly, on this 22nd day of May, 2019, I verify the following facts to be true and correct, to the best of my knowledge or information and belief:

1. I am familiar with PSP/RTKL Request N° 2019-0404, which is attached to this verification.
2. The request is insufficiently specific because it fails to provide me sufficient facts to determine which records are sought and whether, on review, any part of the request constitutes a public record requiring disclosure.
3. Specifically, PSP cannot identify the records sought from the information provided because the request lacks specific information to ascertain and retrieve the requested records such as a specific incident, date, location and names of individuals involved. Absent additional information, PSP cannot pinpoint the repository to search.
4. Outside the RTKL, the requestor was encouraged to provide more information and submit another request.

I understand that false statements made in this verification are subject to penalties of 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities.

Rachel Zeltmann

Rachel Zeltmann
Deputy Agency Open Records Officer
Pennsylvania State Police

2019-0404
4-22-19

Ott, Cynthia L

RECEIVED
RIGHT-TO-KNOW LAW OFFICE
SUBPOENA UNIT

From: 71753-14132502@requests.muckrock.com
Sent: Saturday, April 13, 2019 6:50 PM
To: SP, PSP RIGHT TO KNOW
Subject: [External] Pennsylvania Right to Know Act Request: Missing Native Americans
Attachments: PA_Right_to_Know_Request_Form.pdf

2019 APR 15 A b:44

ATTENTION: This email message is from an external sender. Do not open links or attachments from unknown sources. To report suspicious email, forward the message as an attachment to CWOPA_SPAM@pa.gov.

Pennsylvania State Police
RTK Office
1800 Elmerton Avenue
Harrisburg, PA 17110

April 13, 2019

To Whom It May Concern:

Pursuant to the Pennsylvania Right to Know Act, I hereby request the following records:

Basic information on all cases (open and closed) of missing American Indian/Alaska Native persons (including juveniles) within the state, from 2000 through 2019; this basic information can include but is not limited to: person name, age, DOB, incident date, case closure date, county/jurisdiction in which person was reported missing.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 5 business days, as the statute requires.

Sincerely,

Sovereign Bodies Institute

Filed via MuckRock.com
E-mail (Preferred): 71753-14132502@requests.muckrock.com
Upload documents directly:
https://www.muckrock.com/accounts/muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fpennsylvania-state-police-435%252Fmissing-native-americans-71753%252F%26email%3DRA-psprighttoknow%2540pa.gov&url_auth_token=AAAboNxYal87tdHtot7MozjfZe0%3A1hFRSz%3AuA3D5hUMzDKU_8uhRaM4zoY5Wlo#agency-reply
Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News
DEPT MR 71753
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.



RECEIVED
RIGHT-TO-KNOW LAW OFFICE
SUBPOENA UNIT

2019 APR 15 A 6:44



pennsylvania
OFFICE OF OPEN RECORDS

STANDARD RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED: 2019-04-13

REQUEST SUBMITTED BY: E-MAIL U.S. MAIL FAX IN-PERSON

REQUEST SUBMITTED TO (Agency name & address): Pennsylvania State Police

1800 Elmerton Avenue, Harrisburg, PA 17110

NAME OF REQUESTER : Sovereign Bodies Institute

STREET ADDRESS: Dept MR 71753 411A Highland Ave

CITY/STATE/COUNTY/ZIP(Required): Somerville, MA 02144-2516

TELEPHONE (Optional): _____ **EMAIL (optional):** 71753-14132502@requests.muckrock.com

RECORDS REQUESTED: *Provide as much specific detail as possible so the agency can identify the information.
Please use additional sheets if necessary

See Attached

DO YOU WANT COPIES? YES NO

DO YOU WANT TO INSPECT THE RECORDS? YES NO

DO YOU WANT CERTIFIED COPIES OF RECORDS? YES NO

DO YOU WANT TO BE NOTIFIED IN ADVANCE IF THE COST EXCEEDS \$100? YES NO

**** PLEASE NOTE: RETAIN A COPY OF THIS REQUEST FOR YOUR FILES ****
**** IT IS A REQUIRED DOCUMENT IF YOU WOULD NEED TO FILE AN APPEAL ****

FOR AGENCY USE ONLY

OPEN-RECORDS OFFICER:

I have provided notice to appropriate third parties and given them an opportunity to object to this request

DATE RECEIVED BY THE AGENCY:

AGENCY FIVE (5) BUSINESS DAY RESPONSE DUE:

****Public bodies may fill anonymous verbal or written requests. If the requestor wishes to pursue the relief and remedies provided for in this Act, the request must be in writing. (Section 702.) Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)**